THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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DATED: 15-09-2005

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WRIT PETITION No.20292 of 2005

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Between:

N.Savithramma @ Savitri . . .Petitioner

And

The Special Deputy Collector (Tribal Welfare), Bhadrachalam,

Khammam District, and others

. . .Respondents

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O R D E R:

The first respondent initiated proceedings against the petitioner in L.T.C.Case No.61/2003/PNK alleging that the transfer of land in favour of the petitioner is contrary to the provisions of the Andhra Pradesh Scheduled Areas Land Transfer Regulation 1 of 1959 read with 1 of 1970. Through order, dated 16-03-2005, the first respondent directed resumption of the land from the petitioner. Aggrieved thereby, the petitioner preferred an appeal before the second respondent on 16-06-2005 together with an application for stay. Her grievance

is that so far, no orders have been passed either in the appeal or in the application for stay and seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

The petitioner availed the statutory remedy of appeal against the orders passed by the Special Deputy Collector (Tribal Welfare) directing resumption of land from the petitioner. The state of affairs that existed during the pendency of the original proceedings is required to be continued till the appeal is disposed of, except where extraordinary circumstances exist. The possession of the petitioner over the land in question was not disputed. If she is dispossessed, even while the appeal is pending, the appeal would become infructuous.

For the foregoing reasons, the writ petition is disposed of directing that the order passed by the Special Deputy Collector (Tribal Welfare) against the petitioner herein, shall remain suspended till the appellate authority disposes of the appeal preferred by the petitioner against such order.

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(L.NARASIMHA REDDY, J)

15th SEPTEMBER, 2005.

Note: furnish c.c. in four days.

B/o

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